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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE: FOSAMAX PRODUCTS LIABILITY : LITIGATION :

This Document Relates to

Carrie Smith, et al. v. Merck & :
Co., Inc., et al., 1:07-cv-9564 (JFK) :

USDC SDNY

INCCUITATE

ELECTROPHICAL / ITLED

DOC ::

DATE HE EP 7-29-08

MDL No. 1789

1:07-cv~9564 (JFK)

ORDER

JOHN F. KEENAN, United States District Judge:

The Court having granted plaintiffs' motion to remand, this case is closed. Defendant's motions to dismiss (Dckt. Nos. 23, 26 and 29) are DISMISSED as MOOT.

SO ORDERED.

Dated:

New York, New York July 29, 2008

JOHN F. KEENAN

United States District Judge